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Legal Representatives for Complainant

**BEFORE THE
PHYSICAL THERAPY BOARD
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Statement of Issues Against:

STEVEN SAGER
2183 N. Valley Street
Berkeley CA 94702

Applicant

Case No. 1D 2003 63525

**STIPULATED SETTLEMENT
AND
DISCIPLINARY ORDER**

In the interest of a prompt and speedy settlement of this matter, consistent with the public interest and the responsibility of the Physical Therapy Board of California of the Department of Consumer Affairs, the parties hereby agree to the following Stipulated Settlement and Disciplinary Order which will be submitted to the Board for approval and adoption as the final disposition of the Statement of Issues.

PARTIES

1. Steven Hartzell (Complainant) is the Executive Officer of the Physical Therapy Board of California. He brought this action solely in his official capacity and is represented in this matter by Bill Lockyer, Attorney General of the State of California, by Catherine Santillan, Senior Legal Analyst.

2. Applicant Steven Sager (Applicant) is represented by attorney Adam Slote, whose address is 100 Pine Street, Suite 750 in San Francisco,

1 California 94111.

2 3. On or about June 30, 2003, the Physical Therapy Board of California,
3 Department of Consumer Affairs received an application for a Physical Therapy Assistant
4 License from Steven Sager (Applicant). The Board denied the application on August 11, 2003.
5 On August 12, 2003, Applicant requested a hearing.

6 JURISDICTION

7 4. Statement of Issues 1D 2003 63525 was filed before the Physical Therapy
8 Board (Board), Department of Consumer Affairs, and is currently pending against Applicant.
9 The Statement of Issues and all other statutorily required documents were properly served on
10 Applicant on October 15, 2003. Applicant timely filed his Notice of Defense contesting the
11 Accusation. A copy of Statement of Issues 1D 2003 63525 is attached as **Exhibit A** and
12 incorporated herein by reference.

13 ADVISEMENT AND WAIVERS

14 5. Applicant has carefully read, fully discussed with counsel, and
15 understands the charges and allegations in Statement of Issues 1D 2003 63525. Applicant has
16 also carefully read, fully discussed with counsel, and understands the effects of this Stipulated
17 Settlement and Disciplinary Order.

18 6. Applicant is fully aware of his legal rights in this matter, including the
19 right to a hearing on the charges and allegations in the Statement of Issues; the right to be
20 represented by counsel at his own expense; the right to confront and cross-examine the witnesses
21 against him; the right to present evidence and to testify on his own behalf; the right to the
22 issuance of subpoenas to compel the attendance of witnesses and the production of documents;
23 the right to reconsideration and court review of an adverse decision; and all other rights accorded
24 by the California Administrative Procedure Act and other applicable laws.

25 7. Applicant voluntarily, knowingly, and intelligently waives and gives up
26 each and every right set forth above.

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1 CULPABILITY

2 8. Applicant admits the truth of each and every charge and allegation in
3 Statement of Issues 1D 2003 63525.

4 9. Applicant agrees that his Physical Therapist Assistant License is subject
5 to discipline and he agrees to be bound by the Board's imposition of discipline as set forth in the
6 Disciplinary Order below.

7 CONTINGENCY

8 10. This stipulation shall be subject to approval by the Physical Therapy
9 Board. Applicant understands and agrees that counsel for Complainant and the staff of the
10 Physical Therapy Board of California may communicate directly with the Board regarding this
11 stipulation and settlement, without notice to or participation by Applicant . By signing the
12 stipulation, Applicant understands and agrees that he may not withdraw his agreement or seek to
13 rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails to
14 adopt this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary Order
15 shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action
16 between the parties, and the Board shall not be disqualified from further action by having
17 considered this matter.

18 11. The parties understand and agree that facsimile copies of this Stipulated
19 Settlement and Disciplinary Order, including facsimile signatures thereto, shall have the same
20 force and effect as the originals.

21 12. In consideration of the foregoing admissions and stipulations, the parties
22 agree that the Board may, without further notice or formal proceeding, issue and enter the
23 following Disciplinary Order:
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DISCIPLINARY ORDER

IT IS HEREBY ORDERED THAT upon issuance of Applicant Steven Sager’s Physical Therapist Assistant license, said license shall be publicly reproved by the Physical Therapy Board of California pursuant to Business and Professions Code section 495 for violating Business and Professions Code sections 480(a)(1) and 480 (a)(3) through sections 490 and 2660(d), and section 2660(l) as set forth in Statement of Issues 1D 2003 63525. The Public Reproval is attached hereto as Exhibit B and hereby incorporated by reference as if fully set forth.

ACCEPTANCE

I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with my attorney, Adam Slote. I understand the stipulation and the effect it will have on my Physical Therapy Assistant License. I enter into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Physical Therapy Board.

DATED: 02/04/04.

Original Signed By:
Steven Sager
Applicant

I have read and fully discussed with Applicant Steven Sager the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order. I approve its form and content.

DATED: 02/04/04.

Original Signed By:
ADAM SLOTE
Attorney for Applicant

ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully

1 submitted for consideration by the Physical Therapy Board of the Department of Consumer
2 Affairs.

3 DATED: 02/04/04.

4 BILL LOCKYER, Attorney General
5 of the State of California

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7 Original Signed By:
8 CATHERINE SANTILLAN
9 Senior Legal Analyst

Legal Representative for Complainant

10 DOJ Docket Number: 03575160-SF2003AD0708 Stipulation 8/31/01

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**BEFORE THE
PHYSICAL THERAPY BOARD
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Statement of
Issues Against:

Steven Sager
2183 N. Valley Street
Berkeley CA 94702

Applicant.

Case No. 1D 2003 63525

DECISION AND ORDER

The attached Stipulated Settlement and Disciplinary Order is hereby adopted by
the Physical Therapy Board, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on February 10, 2004.

It is so ORDERED January 10, 2004.

Original Signed By: Donald Chu, PhD, P.T., President
FOR THE PHYSICAL THERAPY BOARD
DEPARTMENT OF CONSUMER AFFAIRS

Exhibit A
Statement of Issues 1D 2003 63525

Exhibit B
Public Reproval

PUBLIC REPROVAL

Respondent Steven Sager's Physical Therapy Assistant License is publicly reprovved pursuant to Business and Professions code section 495 for violating Business and Professions code sections 480(a)(1) and 480(a)(3) through sections 490 and 2660(d) [conviction] in that in 1995, in the State of Arizona, he was convicted of theft, a misdemeanor.